

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

Civil No. 5:18-cv-00017-FL

TIMOTHY DANEHY,
Plaintiff,

v.

EXPERIAN INFORMATION SOLUTIONS,
INC., TRANS UNION LLC, and EQUIFAX,
INC.
Defendants.

**JOINT RULE 26(f) REPORT
AND DISCOVERY PLAN**

Plaintiff Timothy Danehy (“Plaintiff”) and Defendants Equifax, Inc. (“Equifax”), Experian Information Solutions, Inc. (“Experian”) and Trans Union, LLC (“Trans Union”), jointly submit the following Certification and Report of Fed. R. Civ. P. 26(f) Conference and Discovery Plan:

1. Initial Attorneys’ Conference. Pursuant to Fed. R. Civ. P. 26(f), an initial attorneys’ conference was held on March 7, 2018 at 2:30 PM via telephone and was attended by: Timothy Danehy appearing pro se for Plaintiff; Ashley Brathwaite of Ellis & Winters LLP and Autumn Patterson of Jones Day for Experian; and, Kendall Carter of King & Spalding LLP, and Joseph Williford of Young Moore and Henderson, P.A and Danielle Evans of Strasburger & Price LLP for Trans Union.

2. Initial Disclosures. The parties stipulate that they will exchange the information required by Fed. R. Civ. P. 26(a)(1) by March 28, 2018.

3. Discovery Plan. The parties jointly propose to the Court the following discovery plan:

(a) Without conceding the relevance of any particular discovery topic or

waiving any objections thereto, the parties agree that discovery will be needed on these subjects: (1) The events and circumstances giving rise to this lawsuit; (2) Information and documents related to the Defendants' affirmative defenses; and (3) All other issues raised by the pleadings or discovery.

(b) All discovery shall be commenced in time to be completed by November 1, 2018.

(c) Maximum of 25 interrogatories and 35 requests for production of documents by each party to any other party.

(d) Maximum of 35 requests for admission by each party to any other party.

(e) Maximum number of 6 depositions by each party.

(f) Depositions to be conducted pursuant to Federal Rule of Civil Procedure 30.

(g) Reports from retained experts under Rule 26(a)(2) due:

- From Plaintiff by August 31, 2018;
- From Defendants by October 1, 2018; and,
- Reports from rebuttal experts are due by October 15, 2018.

(h) Supplementation under Rule 26(e) due seasonably pursuant to the Federal Rules of Civil Procedure.

(i) Disclosure or discovery of electronically stored information ("ESI") should be handled as follows:

- ESI shall be produced in .pdf format unless otherwise specified; and,
- The parties will attempt to resolve any disputes regarding the scope

of ESI to be produced and corresponding search terms to be used prior to submitting such disputes to the court.

- (j) The parties anticipate that there will be a need for a protective order in this matter.

4. Other Items.

- (a) The parties do not request a conference with the court before entry of the scheduling order.

- (b) The parties defer to the Court's availability and scheduling preferences regarding any non-final or final Rule 15 pretrial conferences.

- (c) The parties should be allowed until April 16, 2018, to join additional parties and to amend the pleadings without leave of Court.

- (d) All potentially dispositive motions should be filed by January 15, 2019.

- (e) The prospects of settlement are fair and may be enhanced by mediated settlement conference for which a deadline will be set upon receipt of rulings on Defendants' Motions to Dismiss. The parties have also tentatively discussed the potential for a magistrate settlement conference prior to the close of discovery which may further enhance settlement.

- (f) Final lists of witnesses and exhibits under Rule 26(a)(3) are due from all parties 30 days before trial.

- (g) Parties should have 21 days after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3).

- (h) The case should be ready for trial within 60 days of the court's ruling on all dispositive motions and, at this time, is expected to take approximately 4 days.

(i) The parties do not consent to referral of the case to a full-time magistrate judge.

(j) The Parties consent to service of documents and discovery via electronic mail.

Respectfully submitted, this 16th day of March, 2018.

/s/ Timothy Danehy

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CERTIFICATE OF SERVICE

This is to certify that on March 16, 2018, a true and correct copy of the above and foregoing document has been electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following counsel:

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I hereby certify that on March 16, 2018, I mailed by United States Postal Service and emailed the document to the following non-CM/ECF participant:

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